

Appl. No.: 09/851,480  
Amdt. dated December 28, 2009  
Reply to Office Action of November 6, 2009

### **REMARKS/ARGUMENTS**

This Reply is in response to the Examiner's Answer dated November 6, 2009, in which the Examiner entered a new ground of rejection. In particular, as the new ground of rejection, the Examiner rejected Claims 1, 4, 9, 11, 16, 21, 24, 29, 30, and 40 under 35 U.S.C. § 101 for being directed to nonpatentable subject matter. In response to the Examiner's Answer and in accordance with MPEP § 1207.03, Applicant respectfully requests that (a) prosecution be reopened, (b) the arguments submitted in the Appeal Brief filed July 16, 2007, and the Reply Brief filed January 29, 2008, be incorporated by reference into this Reply, and (c) the application be reconsidered with the foregoing amendments and incorporated arguments. The amendments include (a) amending Claims 1, 4, 9, 11, 16, 20-21, 24, 29-30, and 40 and (b) canceling 3, 5-8, 12-15, 18-19, 22-23, 25-28, and 31-39. Thus, as a result of this Reply, Claims 1, 4, 9, 11, 16, 20-21, 24, 29-30, and 40 are pending in the application.

The foregoing is submitted as a full and complete response to the Examiner's Answer dated November 6, 2009. The foregoing amendments and remarks are believed to have placed the present application in condition for allowance, and such action is respectfully requested. The Examiner is encouraged to contact Applicant's undersigned attorney at (404) 881-4381 or e-mail at [dane.baltich@alston.com](mailto:dane.baltich@alston.com) to resolve any remaining issues in order to expedite examination of the present application.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,

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